

BRONX CHARTER SCHOOL FOR BETTER LEARNING
REGULATIONS FOR PROVIDING PUBLIC ACCESS TO RECORDS

Section 1: Purpose and scope

- 1) The people's right to know the process of government decision-making and the documents and statistics leading to determination is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.
- 2) These regulations provide information concerning the procedures by which records may be obtained.
- 3) Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.
- 4) Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.

Section 2: Designation of records access officer

The Bronx Charter School for Better Learning Board of Trustees is responsible for insuring compliance and designates the following person as records access officer:

Shubert Jacobs, Principal
3740 Baychester Avenue (ANNEX)
Bronx, New York 10466

The records access officer is responsible for insuring appropriate agency response to public requests for access to records. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so.

The records access officer shall insure that designated personnel:

- 1) maintain an up-to-date subject matter list.
- 2) assist the requester in identifying requested records, if necessary.
- 3) upon locating the records, take one of the following actions:
 - a) make records available for inspection; or
 - b) deny access to the records in whole or in part and explain in writing the reasons therefore.

- 4) upon request for copies of records:
 - a) make a copy available upon payment or offer to pay established fees, if any; or
 - b) permit the requester to copy those records.
- 5) upon request, certify that a record is a true copy; and
- 6) upon failure to locate records, certify that:
 - a) the Bronx Charter School for Better Learning is not the custodian for such records; or
 - b) the records of which the Bronx Charter School for Better Learning is a custodian cannot be found after diligent search.

Section 3: Location

Records shall be available for public inspection and copying at:

Bronx Charter School for Better Learning
3740 Baychester Avenue (ANNEX)
Bronx, New York 10466

The records access officer is responsible for insuring that appropriate agency request for public access to records shall be accepted and records produced during all hours regularly open for business. Those hours are 8:00 AM - 4:00 PM.

Section 5: Request for public access to records

- 1) A written request may be required, but oral requests may be accepted when records are readily available.
- 2) A response shall be given regarding any request reasonably describing the record or records sought within five business days of receipt of request.
- 3) A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought.

If the records access officer does not provide or deny access to the record sought within five business days of receipt of a request, he or she shall furnish a written acknowledgement of receipt of the request and a statement of the approximate date when the request will be granted or denied.

Section 6: Subject matter list

- 1) The records access officer shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to subdivision two of Section eighty-seven of the Public Officers Law.
- 2) The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
- 3) The subject matter list shall be updated not less than twice per year. The most recent update shall appear on the first page of the subject matter list.

Section 7: Denial of access to records

- 1) Denial of access to records shall be in writing, stating the reason thereof and advising the requester of the right to appeal to the individual or body established to determine appeals.
- 2) If requested records are not provided promptly, such failure shall also be deemed a denial of access.
- 3) The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:

Thomas Howard, Jr., Executive Director
Bronx Charter School for Better Learning
3740 Baychester Avenue (ANNEX)
Bronx, New York 10466
(718) 655-6660

The time for deciding an appeal by the individual designated to determine appeals shall commence upon receipt of a written appeal identifying:

- a) the date of the appeal.
- b) the date and locations of the request for records.
- c) the records to which the requester was denied access.
- d) whether the denial of access was in writing or due to failure to provide records promptly, and
- e) the name and return address of the requester.

The individual designated to determine appeals shall inform the requester of a decision in writing within ten business days of receipt of an appeal.

The person or body designated to determine appeals shall transmit to the Committee on Open Government copies of all appeals upon receipt of appeals. Such copies shall be addressed to:

Committee on Open Government
Department of State
41 State Street
Albany, New York 12231

The person or designated to determine appeals shall inform the appellant and the Committee on Open Government of its determination in writing within ten business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government.

Section 8: Fees

There shall be no fees charged for:

- (1) inspection of records;
- (2) search for records; or
- (3) any certification pursuant to this part.

Section 9: Public Notice

A notice containing the title or name and business address of the records access officers and appeals person and the location where records can be seen or copies shall be posted in a conspicuous location wherever records are kept and/or published in a local newspaper of general circulation.

Section 10: Severability

If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations of the application thereof to other persons and circumstances.

FEEES FOR PHOTCOPIES

The fee for photocopies not exceeding 9 by 14 inches is 25 cents per page.

**FEEES FOR COPIES OF RECORDS, OTHER THAN PHOTOCOPIES
THAT ARE 9 BY 14 INCHES OR LESS IN SIZE**

The fee for copies of records other than photocopies that are 9 by 14 inches or less in size shall be the actual copying cost, excluding fixed agency costs, such as salaries.